

# **Exhibit A**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA . CR. NO. H-09-629  
VS. . HOUSTON, TEXAS  
 .  
 . SEPTEMBER 30, 2010  
JOHN JOSEPH O'SHEA . 9:30 A.M. to 11:10 A.M.

TRANSCRIPT of CONFERENCE  
BEFORE THE HONORABLE LYNN N. HUGHES  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

FOR THE GOVERNMENT:

MS. NICOLA J. MRAZEK  
Department of Justice  
Criminal Division  
1400 New York Ave, NW  
Bond Building 4404  
Washington, DC 20005

MR. GREGG J. COSTA  
Office of the U.S. Attorney  
P.O. Box 61129  
Houston, Texas 77208-1129

FOR THE DEFENDANT:

MS. SARAH M. FRAZIER  
MS. ASHLEY L. GARGOUR  
MR. JOEL ANDROPHY  
Berg & Androphy  
3704 Travis  
Houston, Texas 77002

Proceedings recorded by mechanical stenography, transcript  
produced by computer-aided transcription.

APPEARANCES CONTINUED

ALSO PRESENT:

MR. LARRY URGENSON  
MS. LAURA FRAEDRICH  
MR. BILL ROSCH

OFFICIAL COURT REPORTER:

MS. KATHY L. METZGER  
U.S. Courthouse  
515 Rusk  
Room 8016  
Houston, Texas 77002  
713-250-5208

1 and she would get the witness to identify a transaction and  
2 then from whom and to whom and how much money and it would be  
3 an arrow that -- pulled out an arrow with that on it and stuck  
4 it and it sat there for a better part of the morning and when  
5 you were finished, there was a mass of arrows going every which  
6 way, with no -- and in no case was there a corresponding  
7 document, you know, no wire transfer. There wasn't a loan  
8 document. There just was random stencil.

9                   It doesn't have to be like that, but something  
10 with --

11               *MS. MRAZEK:* Yes, Your Honor, we'll do some serious  
12 work to make sure that it's visually --

13               *THE COURT:* But case agents don't know anything.

14               *MS. MRAZEK:* Your Honor --

15               *THE COURT:* And did she actually work on the case?

16               *MS. MRAZEK:* She did.

17               *THE COURT:* Okay. Because if she did the work, she  
18 probably ought to get the face time rather than having somebody  
19 else step in and say that I want to do that.

20                   Okay. Well, what have we got? A couple of ABB  
21 people and a couple of co-conspirators. I take it nobody from  
22 Mexico?

23               *MS. MRAZEK:* Well, the co-conspirators are obviously  
24 from Mexico.

25               *THE COURT:* Yeah, I know, but no --

1           MR. COSTA: No government officials.

2           MS. MRAZEK: No, no government officials at this point  
3 have volunteered, Your Honor. I'll let you know as soon as I  
4 hear that they're willing to come in and fess up.

5           THE COURT: The fellow that I extradited, the head of  
6 Pemex, after he went back, it turns out that the new head of  
7 Pemex had framed him. And the general counsel of Pemex, the  
8 new general counsel was asked about it at the preliminary  
9 hearing after I sent him back, said, "Oh, this guy didn't do  
10 that. My boss faked those." So, they just traded places. He  
11 didn't get to go back until he was -- who was the president  
12 before Fox? Anyway, so, the original person indicted was in  
13 the previous administration. So, it does work sometimes.

14                   Anybody else?

15           MS. MRAZEK: Well, Your Honor, I said that, you know,  
16 we don't anticipate any problems getting our evidence in, so we  
17 won't need a whole host of custodians. Obviously I would like  
18 to reserve the ability to call custodians.

19           THE COURT: Absolutely, but do you now know of any  
20 problem with authenticity of records other than the records  
21 that are admittedly inauthentic?

22           MR. ANDROPHY: We have document issues still, but --

23           THE COURT: Like what?

24           MS. FRAZIER: Yes, we do, Your Honor. We would like  
25 to get to that, if you're ready.

1 MR. ROSCH: Good to see you.

2 MS. MRAZEK: Thank you, Your Honor.

3 MR. COSTA: Thank you, Judge.

4 MR. ANDROPHY: Thanks, Judge.

5 (Concluded at 11:07 a.m.)

6 \* \* \*

7 I certify that the foregoing is a correct transcript from the  
8 record of proceedings in the above-entitled cause, to the best  
9 of my ability.

10

11 /s/ Kathy L. Metzger  
Kathy L. Metzger  
12 Official Court Reporter

10-13-10  
Date

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